

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION

WILLIE SUGGS
ADC #102263

PLAINTIFF

V.

NO. 2:05cv00281 JMM-JWC

MAX MOBLEY, et al

DEFENDANTS


ORDER

The Court has reviewed the Proposed Findings and Recommended Partial Disposition received from Magistrate Judge Jerry Cavaneau. There have been no objections. The Findings and Recommendations are adopted in their entirety as this Court's findings.

Accordingly, Defendant Mobley's motion to dismiss (docket entry #26) is hereby denied in part and granted in part. Defendant Mobley's motion to dismiss on deliberate indifference and respondeat superior grounds is denied; his motion to dismiss is granted as to the retaliation claim; and his motion to dismiss on sovereign immunity grounds is granted in part; however, only Plaintiff's claim for monetary damages against Defendant Mobley in his official capacity is barred.

Plaintiff's case against all remaining Defendants, including Defendant Mobley, shall be permitted to proceed.

IT IS SO ORDERED this 27 day of February, 2007.


UNITED STATES DISTRICT JUDGE